

**Response to Office Action Mailed January 20, 2006**

**A. Claims In The Case**

Claims 1-20 have been rejected. Claims 1 and 15 have been amended. Claims 1-20 are pending in the case.

**B. The Claims Are Not Anticipated By The Cited Art Pursuant To 35 U.S.C. § 102**

The Examiner rejected claims 1-9 and 10-20 as being anticipated by U.S. Patent No. 5,097,861 to Hopkins et al. ("Hopkins"). Applicant respectfully disagrees with these rejections.

Amended claim 1 recites:

1. A water irrigation system, comprising:
  - a computer system comprising regional evapotranspiration;
  - a sensing unit configured to assess climatological conditions near or in a zone to be irrigated and to provide output that is a function of the climatological conditions to the computer system, and wherein the sensing unit comprises a solar panel, wherein the solar panel is configured to provide output that is a function of the received sunlight to the computer system; and wherein the computer system is configured to assess zonal evapotranspiration at least partially based on the output provided by the sensing unit; and
  - wherein the computer system is configured to:
    - assess an irrigation need of the zone to be irrigated at least partially based on the regional evapotranspiration and the assessed zonal evapotranspiration;
    - assess solar insolation based on the output from the solar panel;
  - and
  - inhibit irrigation of the zone when the assessed solar insolation exceeds a predetermined value.

Support for amendments to claim 1 may be found, for example, in Applicant's specification, which states:

In an embodiment, solar panel 132 in combination with sensing unit 102 may provide a signal that is a function of received sunlight to a computer system of a water irrigation system. In some embodiments, a computer system may assess a signal that is a function of sunlight received by a solar panel to inhibit irrigation during daylight hours. In some embodiments, a computer system may assess solar insolation from one or more signals that are a function of sunlight received by a solar panel. In certain embodiments, irrigation may be inhibited when assessed solar insolation near or in a zone to be irrigated exceeds a selected value. Inhibiting irrigation during daylight hours or when solar insolation exceeds a selected value may promote more efficient water usage by reducing an amount of moisture lost to evaporation.

(Specification, pg. 19, line 27 - pg. 20, line 5)

Applicant submits that the cited art does not appear to teach or suggest all of the features of amended claim 1, including, but not limited to, the feature of "[inhibiting] irrigation of the zone when the assessed solar insolation exceeds a predetermined value." As such, Applicant respectfully request removal of the rejection of claim 1, and the claims dependent from claim 1 (i.e., claims 2-14)

Amended claim 15 recites:

15. A method of controlling irrigation, comprising:
  - receiving sunlight with a solar panel;
  - assessing solar insolation based on the received sunlight;
  - assessing climatological conditions near or in a zone to be irrigated;
  - using at least the assessed climatological conditions to assess zonal evapotranspiration;
  - controlling irrigation of the zone to be irrigated at least partially based on regional evapotranspiration and the assessed zonal evapotranspiration; and

inhibiting irrigation of the zone if the assessed solar insolation exceeds a predetermined value.

Support for amendments to claim 15 may be found, for example, in Applicant's specification at page 19, line 27 - pg. 20, line 5.

Applicant submits that the cited art does not appear to teach or suggest all of the features of amended claim 15, including, but not limited to, the feature of "inhibiting irrigation of the zone when the assessed solar insolation exceeds a predetermined value." As such, Applicant respectfully request removal of the rejection of claim 15, and the claims dependent from claim 15 (i.e., claims 16-20)

**C. The Claims Are Not Obvious Over The Cited Art Pursuant To 35 U.S.C. § 103(a)**

The Examiner has rejected claim 9 as being unpatentable over Hopkins in view of U.S. Patent No. 5,696,671 to Oliver ("Oliver"). For at least the same reasons cited above, Applicant submits that claim 9 is allowable over Hopkins in view of Oliver.

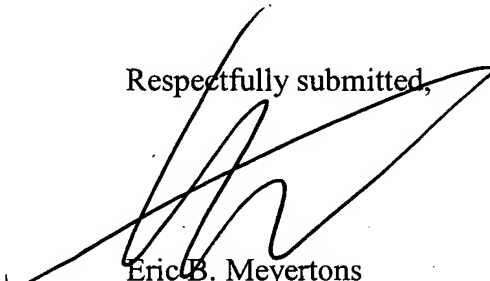
**D. Summary**

Based on the above, Applicant submits that all claims are now in condition for allowance. Favorable reconsideration is respectfully requested.

Clark, et al.  
10/809,993

If any extension of time is required, Applicant hereby requests the appropriate extension of time. If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5853-00507/EBM

Respectfully submitted,



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Date: 4/12/06